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OF COUNSEL  
URBAN A. LESTER

RECORDATION NO. 26276 - I FILED

DEC 28 '06 -2 0 0 PM

SURFACE TRANSPORTATION BOARD

December 28, 2006

Mr. Vernon A. Williams  
Secretary  
Surface Transportation Board  
Washington, D.C. 20423

Dear Mr. Williams:

Enclosed for recordation pursuant to the provisions of 49 U.S.C. Section 11301(a) are two (2) copies of a Memorandum of Lease Agreement dated as of December 27, 2006, a secondary document as defined in the Board's Rules for the Recordation of Documents.

The enclosed document relates to the Memorandum of Lease Agreement being filed with the Board under Recordation Number 26276.

The name and address of the party to the enclosed document are:

Lessor: Trinity Tank Car, Inc.  
2525 Stemmons Freeway  
Dallas, Texas 75207

[Lessee: Ethanol Products LLC  
144 N. Mosley  
Wichita, Kansas 67202]

Mr. Vernon A. Williams  
December 28, 2006  
Page 2

A description of the railroad equipment covered by the enclosed document is:

100 railcars: TILX 194095 – TILX 194194.

A short summary of the document to appear in the index is:

Memorandum of Lease Agreement.

Also enclosed is a check in the amount of \$34.00 payable to the order of the Surface Transportation Board covering the required recordation fee.

Kindly return stamped copies of the enclosed document to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Alvord', with a stylized flourish extending to the right.

Robert W. Alvord

RWA/sem  
Enclosures

DEC 28 '06

-2 0 0 PM

## MEMORANDUM OF LEASE AGREEMENT

SURFACE TRANSPORTATION BOARD

Memorandum of Lease Agreement made and entered into on December 28, 2006 by Trinity Tank Car, Inc., a Delaware corporation (as assignee of TILC (as defined below), the "Lessor").

W I T N E S S E T H:

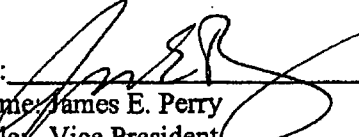
Trinity Industries Leasing Company (as assignor and also acting in its capacity as agent and manager for and on behalf of Lessor, "TILC") and Ethanol Products LLC, a South Dakota corporation (the "Lessee") are parties to that certain Railroad Car Lease Agreement (the "Lease Agreement"), dated as of June 18, 2001, whereby TILC has agreed to lease to the Lessee and the Lessee has agreed to lease from TILC certain railroad cars as listed on each Rider incorporated therein.

TILC and Lessee have executed Rider Nine (9) to Railroad Car Lease Agreement, effective August 29, 2006 whereby TILC has agreed to lease to Lessee and the Lessee has agreed to lease from TILC certain railroad cars bearing road numbers as listed on Exhibit A hereto.

[Memorandum of Lease Agreement]

IN WITNESS WHEREOF, the undersigned has caused this memorandum to be duly executed by its officer duly authorized as of the date hereof.

**TRINITY TANK CAR, INC.**

By:   
Name: James E. Perry  
Title: Vice President

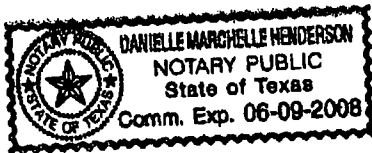
Executed on this 27<sup>th</sup> day of December, 2006

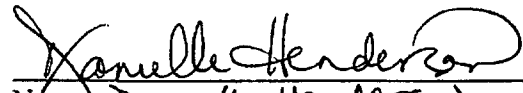
[Memorandum of Lease Agreement]

STATE OF TEXAS            )  
                                      ) SS:  
COUNTY OF DALLAS        )

On this, the 27<sup>th</sup> day of December 2006, before a Notary Public in and for said County and State, personally appeared James E. Perry, who being by me duly sworn, says that he is the Vice President of Trinity Tank Car, Inc., that said instrument was signed on December 27<sup>th</sup>, 2006 on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the date above mentioned.



  
Name: Danielle Henderson  
Notary Public

My Commission Expires:  
Residing in 6/9/08 Dallas, TX

**EXHIBIT A**

**Equipment:**

DOT 111A100W1 tank cars built to Trinity Rail  
specification number 2005/583 dated 10/25/05

**Quantity:**

One Hundred (100)

**Road Numbers:**

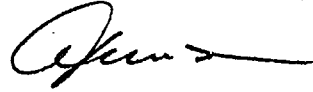
TILX 194095 – 194194

**CERTIFICATION**

I, Robert W. Alvord, attorney licensed to practice in the State of New York and the District of Columbia, do hereby certify under penalty of perjury that I have compared the attached copy with the original thereof and have found the copy to be complete and identical in all respects to the original document.

Dated: \_\_\_\_\_

12/28/06



\_\_\_\_\_  
Robert W. Alvord